

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: P. Bonutti

Confirmation No.:

Application No.: To be Assigned
(Continuation of App No. 09/941,185)
Filed: Herewith

Group Art Unit:
Examiner:
Attorney Docket No.: 780-A04-012-1A

For: LIMITED INCISION TOTAL JOINT REPLACEMENT METHODS

**INFORMATION DISCLOSURE STATEMENT
PURSUANT TO 37 C.F.R. § 1.56**

Commissioner for Patents
Alexandria, VA 22313

Sir:

In accordance with the duty of disclosure provisions of C.F.R. § 1.56, there is hereby provided certain information, which the Examiner may consider material to the examination of the subject U.S. patent application. It is requested that the Examiner make this information of record if it is deemed material to the examination of the application.

A revised Form PTO/SB/08 listing all patents, publications, applications, or other information submitted for consideration is enclosed. Copies of the listed documents from prior Application No. 09/941,185, filed August 28, 2001, of which this application claims priority under 35 U.S.C. § 120, are not being submitted pursuant to 37 C.F.R. § 1.98(d).

No admission is made that the information cited in this Statement is, or is considered to be prior art, material to patentability nor a representation that a search has been made.

This Information Disclosure Statement is filed under 37 C.F.R. § 1.97(b) before the latter of three months after the U.S. patent application filing date or the first Office Action on the merits. Accordingly, no fee or certification is required.

Dated: MARCH 8, 2004

Respectfully submitted,



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Attorney for Applicant
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PTO/SB/08A (10-96)

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Patent and Trademark Office: U.S. Department of Commerce

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-Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION (use as many sheets as necessary)				Complete If Known		
						Application Number
				Filing Date		
				First Named Inventor		P. Bonutti
				Group Art Unit		
Examiner Name						
Sheet	1	of	12	Attorney Docket Number	780-A04-012-1A	
U.S. PATENT DOCUMENTS						
Examiner Initials	Cite No. ¹	U.S. Patent Document Number	Kind Code ² (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	AA	US 2003/0158606 A1		Coon	08/21/03	
	AB	US 2001/0037155 A1		Merchant	11/01/01	
	AC	US 2001/0034554 A1		Pappas	10/25/01	
	AD	US 2002/0029038 A1		Haines	03/07/02	
	AE	D358,647		Cohen	05/23/95	
	AF	D462,767		Meyer	09/10/02	
	AG	3,229,006		Nohl	01/11/66	
	AH	3,624,747		McKnight	11/30/74	
	AI	3,807,393		McDonald	10/14/74	
	AJ	3,811,449		Gravlee et al.	05/21/74	
	AK	3,903,549		Deyerle	09/09/75	
	AL	3,911,923		Yoon	10/14/75	
	AM	3,920,022		Pastor	11/18/75	
	AN	3,967,625		Yoon	07/06/76	
	AO	3,989,049		Yoon	11/02/76	
	AP	3,991,426		Flom	11/16/76	
	AQ	3,994,287		Turp	11/30/76	
	AR	4,053,953		Flom	10/18/77	
	AT	4,085,466		Goodfellow	04/25/78	
	AS	4,085,743		Yoon	04/25/78	
Examiner				Date Considered		

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	AU	4,103,680		Yoon	08/01/78	
	AV	4,224,696		Murray et al.	09/30/80	
	AW	4,298,992		Burstein et al.	11/10/81	
	AX	4,299,224		Noiles	11/10/81	
	AY	4,311,145		Esty	01/19/82	
	AZ	4,344,193		Kenny	08/17/82	
	BA	4,373,709		Whitt	02/15/83	
	BB	4,374,523		Yoon	02/22/83	
	BC	4,385,404		Sully	05/01/83	
	BD	4,457,302		Caspari et al.	07/03/84	
	BE	4,509,518		McGarry	04/09/85	
	BF	4,545,375		Cline	10/08/85	
	BG	4,565,192		Shapiro	01/21/86	
	BH	4,574,794		Cooke et al.	03/11/86	
	BI	4,619,391		Sharkany	05/05/86	
	BJ	4,624,254		McGarry	11/25/86	
	BK	4,641,648		Shapiro	02/10/87	
	BL	4,662,372		Sharkany	05/05/87	
	BM	4,682,598		Beraha	07/28/87	
	BN	4,685,460		Thornton	08/11/87	
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	BO	4,739,751		Sapega et al.	04/26/88	
	BP	4,817,602		Beraha	04/04/89	
	BQ	4,936,852		Kent	06/25/90	
	BR	4,961,954		Goldberg	10/09/90	
	BS	4,964,865		Burkhead	10/23/90	
	BT	4,979,949		Matsen, II et al.	12/25/90	
	BU	4,985,038		Lyell	01/15/91	
	BV	5,007,912		Alberktsson et al.	04/16/91	
	BW	5,032,132		Matsen	07/16/91	
	BX	5,060,678		Bauman	10/29/91	
	BY	5,098,437		Kashuba	03/24/92	
	BZ	5,099,859		Bell	03/31/92	
	CA	5,100,689		Goldberg	03/31/92	
	CB	5,108,441		McDowell	03/28/92	
	CC	5,111,987		Moeinzadeh	05/12/92	
	CD	5,123,906		Kelman	06/23/92	
	CE	5,152,744		Krause	10/06/92	
	CF	5,152,778		Bales	10/06/92	
	CG	5,154,717		Matsen, II et al.	10/13/92	
	CH	5,163,949		Bonutti	11/17/92	
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	CI	5,170,800		Smith	12/15/92	
	CJ	5,171,243		Kashuba	12/15/92	
	CK	5,171,244		Caspari et al.	12/15/92	
	CL	5,174,300		Bales	12/29/92	
	CM	5,176,702		Bales	01/05/93	
	CN	5,178,622		Lehner	01/12/93	
	CO	5,183,053		Yeh	02/02/93	
	CP	5,183,464		Dubrul et al.	02/02/93	
	CQ	5,186,178		Yeh	02/16/93	
	CR	5,197,968		Clement	03/30/93	
	CS	5,197,971		Bonutti	03/30/93	
	CT	5,197,987		Koch	03/30/93	
	CU	5,207,692		Kraus	05/04/93	
	CV	5,217,463		Mikhail	06/08/93	
	CW	5,226,915		Bertin	07/13/93	
	CX	5,228,459		Caspari et al.	07/20/93	
	CY	5,234,433		Bert et al.	08/10/93	
	CZ	5,258,004		Bales	11/02/93	
	DA	5,269,785		Bonutti	12/14/93	
	DB	5,273,524		Fox	12/28/93	
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	DC	5,275,166		Vaitekunas	01/04/94	
	DD	5,282,803		Lackey	02/01/94	
	DE	5,282,866		Cohen et al.	02/01/94	
	DF	5,285,773		Bonutti	02/15/94	
	DG	5,293,878		Bales	03/15/94	
	DH	5,295,994		Bonutti	03/22/94	
	DI	5,304,181		Caspari et al	04/19/94	
	DJ	5,308,349		Mikhail	05/03/94	
	DK	5,320,611		Bonutti et al.	06/14/94	
	DL	5,322,505		Krause	06/21/94	
	DM	5,344,423		Dietz et al.	09/06/94	
	DN	5,344,458		Bonutti	09/06/94	
	DO	5,348,541		Lyell	09/20/94	
	DP	5,358,530		Hodorek	10/25/94	
	DQ	5,368,599		Hirsch	11/29/94	
	DR	5,379,133		Kirk	01/03/95	
	DS	5,395,401		Bahler	03/07/95	
	DT	5,403,319		Matsen, III et al.	04/04/95	
	DU	5,425,355		Kullick	06/20/95	
	DV	5,425,745		Green	06/20/95	
Examiner				Date Considered		

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	DW	5,445,639		Kuslich et al.	08/29/95	
	DX	5,454,365		Bonutti	10/03/95	
	DY	5,454,815		Geisser	10/03/95	
	DZ	5,456,268		Bonutti	10/10/95	
	EA	5,456,720		Schultz	10/10/95	
	EB	5,472,415		King	12/05/95	
	EC	5,484,095		Green	01/16/96	
	ED	5,497,933		Defonzo	03/12/96	
	EE	5,514,139		Goldstein	05/07/96	
	EF	5,514,143		Bonutti et al.	05/07/96	
	EG	5,514,153		Bonutti	05/07/96	
	EH	5,520,692		Ferrante	05/28/96	
	EI	5,520,694		Dance et al.	05/28/96	
	EJ	5,522,897		King	06/04/96	
	EK	5,540,695		Levy	07/30/96	
	EL	5,549,683		Bonutti	08/27/96	
	EM	5,554,169		Green	03/12/96	
	EN	5,569,163		Francis	10/29/96	
	EO	5,570,700		Vogeler	11/05/96	
	EP	5,578,039		Vendrey et al	11/26/96	

Examiner	Date Considered
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	EQ	5,593,448		Dong	01/14/97	
	ER	5,597,379		Haines	01/28/97	
	ES	5,609,603		Linden	03/11/97	
	ET	5,609,644		Ashby et al.	03/11/97	
	EU	5,624,463		Stone	04/29/97	
	EV	5,632,745		Schwartz	05/27/97	
	EW	5,643,272		Haines et al.	07/01/97	
	EX	5,649,946		Bramlet	07/22/97	
	EY	5,662,710		Bonutti	09/02/97	
	EZ	5,667,069		Williams	09/16/97	
	FA	5,667,512		Johnson	09/16/97	
	FB	5,667,520		Bonutti	09/16/97	
	FC	5,702,447		Walch	12/30/97	
	FD	5,702,475		Zahedi	12/30/97	
	FE	5,707,350		Krause	01/13/98	
	FF	5,712,543		Sjostrom	01/27/98	
	FG	5,716,360		Baldwin et al.	02/10/98	
	FH	5,718,708		Webb	02/16/98	
	FI	5,723,331		Tubo	03/03/98	
	FJ	5,733,292		Gustillo et al.	03/31/98	
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	FK	5,749,876		Duvillier et al.	05/12/98	
	FL	5,755,731		Grinberg	05/26/98	
	FM	5,755,791		Whitson et al.	05/26/98	
	FN	5,755,803		Haines	05/26/98	
	FO	5,769,855		Bertin et al.	06/23/98	
	FP	5,769,899		Schwartz	06/23/98	
	FQ	5,772,594		Barrick	06/30/98	
	FR	5,788,700		Morawa et al.	08/04/98	
	FT	5,792,139		Chambers	08/11/98	
	FS	5,810,827		Haines	09/22/98	
	FU	5,817,109		McGarry	10/06/98	
	FV	5,842,477		Naughton et al.	12/01/98	
	FW	5,846,931		Hattersley	12/08/98	
	FX	5,860,981		Bertin et al.	01/19/99	
	FY	5,866,415		Villeneuve	02/02/99	
	FZ	5,871,493		Sjostrom	02/16/99	
	GA	5,879,354		Haines	03/09/99	
	GB	5,880,976		DiGioia et al.	03/09/99	
	GC	5,888,219		Bonutti	03/30/99	
	GD	5,899,914		Zirps	05/04/99	
Examiner				Date Considered		

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INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION (use as many sheets as necessary)				Application Number	
				Filing Date	
				First Named Inventor P. Bonutti	
				Group Art Unit	
				Examiner Name	
Sheet	9	of	12	Attorney Docket Number	780-A04-012-1A

U.S. PATENT DOCUMENTS						
Examiner Initials	Cite No. ¹	U.S. Patent Document Number	Kind Code ² (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	GE	5,908,424		Bertin et al.	06/15/99	
	GF	5,911,723		Ashby et al.	06/15/99	
	GG	5,913,874		Berns	07/22/99	
	GH	5,916,269		Serbousek et al.	06/19/99	
	GI	5,921,990		Webb	07/13/99	
	GJ	5,961,499		Bonutti	10/05/99	
	GK	5,995,738		Di Gioia et al.	11/30/99	
	GL	5,997,566		Tobin	12/07/99	
	GM	6,002,859		Di Gioia et al.	12/14/99	
	GN	6,012,456		Schuerch	01/11/00	
	GO	6,013,103		Kaufman et al.	01/11/00	
	GP	6,015,419		Strome	01/18/00	
	GQ	6,019,767		Howell	02/01/00	
	GR	6,022,350		Ganem	02/08/00	
	GS	6,056,754		Haines	05/02/00	
	GT	6,059,817		Bonutti et al.	05/09/00	
	GU	6,063,095		Wang et al.	05/16/00	
	GV	6,077,287		Taylor	06/20/00	
	GW	6,086,593		Bonutti	07/11/00	
	GX	6,090,122		Sjostrom	07/18/00	
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	GY	6,099,531		Bonutti	08/08/00	
	GZ	6,099,532		Florea	08/08/00	
	HA	6,102,850		Wang et al.	08/15/00	
	HB	6,118,845		Simon et al.	09/12/00	
	HC	6,159,246		Mendez et al.	12/12/00	
	HD	6,171,340		McDowell	01/09/01	
	HE	6,174,314		Waddell	01/16/01	
	HF	6,174,321		Webb	01/16/01	
	HG	6,185,315		Schmucher et al.	02/06/01	
	HH	6,187,023		Bonutti	02/13/01	
	HI	6,195,168		De Lega et al.	02/27/01	
	HJ	6,197,064		Haines et al.	03/06/01	
	HK	6,198,794		Peshkin et al.	03/06/01	
	HL	6,205,411		DiGioia et al.	03/20/01	
	HM	6,206,927		Fell et al.	03/27/01	
	HN	6,211,976		Popovich et al.	04/03/01	
	HO	6,214,051		Badorf	04/10/01	
	HP	6,228,121		Khalili	05/08/01	
	HQ	6,241,735		Marmulla	06/05/01	
	HR	6,258,127		Schmotzer	07/10/01	
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	HS	6,277,136		Bonutti	08/21/01	
	HT	6,280,476		Metzger et al.	08/28/01	
	HU	6,290,703		Ganem	09/18/01	
	HV	6,299,645		Ogden et al.	10/09/01	
	HW	6,306,169		Lee et al	10/23/01	
	HX	6,306,172		O'Neil	10/23/01	
	HY	6,325,806		Fox	12/04/01	
	HZ	6,328,572		Higashida	12/11/01	
	IA	6,338,730		Bonutti et al.	01/15/02	
	IB	6,338,737		Toledano	01/15/02	
	IC	6,358,266		Bonutti	03/19/02	
	ID	6,391,040		Christodias	05/21/02	
	IE	6,398,815		Pope et al.	06/04/02	
	IF	6,406,495		Schoch	06/18/02	
	IG	6,409,722		Hoey	06/25/02	
	IH	6,431,743		Mizutani	08/13/02	
	II	6,500,181		Portney	12/31/02	
	IJ	6,514,259		Picard et al.	04/04/03	
	IK	6,616,696		Merchant	09/09/03	
	IL	6,629,997		Mansmann	10/07/03	
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			Examiner Name		
Sheet	12	of	12	Attorney Docket Number	780-A04-012-1A

OTHER REFERENCES - NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ⁶
	JA	The M/G Unicompartmental Knee – Minimally Invasive Surgical Technique – Publication date unknown, but before August 1, 2001.	
	JB	Scorpio Single Axis Total System – Passport Total Knee Instrumentation – Passport A.R Surgical Technique – Publication date unknown, but before August 1, 2001.	
	JC	NexGen Complete Knee Solution – Design Rationale – Publication date unknown, but before August 1, 2001.	
	JD	Insall/Burstein II Modular Knee System – Publication date unknown, but before August 1, 2001.	
	JE	NexGen Complete Knee Solution – Surgical Technique for the LPS-Flex Fixed Bearing Knee – Publication date unknown, but before August 1, 2001.	
	JF	NexGen Complete Knee Solution – Extramedullary/ Intramedullary Tibial Resector Surgical Technique – Publication date unknown, but before August 1, 2001.	
	JG	NexGen Complete Knee Solution – Multi-Reference™ 4-in-1 Femoral Instrumentation – Anterior Reference Surgical Technique – Publication date unknown, but before August 1, 2001.	
	JH	NexGen Complete Knee Solution – Intramedullary Instrumentation Technique – For the NexGen Cruciate Retaining & Legacy® Posterior Stabilized Knee – Publication date unknown, but before August 1, 2001.	
	JI	Surgical Navigation for Total Knee Arthroplasty – Believed to have been presented at the American Academy of Orthopedic Surgeons In February of 2001.	
	JJ	Operative Arthroscopy – John B. McGinty M.D. – Department of Orthopedic Surgery, Medical University of South Carolina, Charleston, South Carolina - © 1991 by Raven Press, Ltd., Page 9.	
	JK	The Series 7000 Total Knee System – Passport A.R. Total Knee Instruments - © Osteonics 1996	
	JL	Surgical Technique – Stryker® Howmedica Osteonics – Restoration™ T3 Femoral Component Using the Command® Instrument System, February 2000	
	JM	Sulzer Orthopedics™ Natural-Knee® II System Surgical Technique - © 1998 Sulzer Orthopedics Inc.	
	JN	Surgical Protocol – Solar™ Total Shoulder System - © Osteonics Corp. 1998	
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